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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/802,075	03/08/2001	John M. Verbil	1828 USW 0624 PUS	5333

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QWEST COMMUNICATIONS INTERNATIONAL INC
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1801 CALIFORNIA STREET, SUITE 3800
DENVER, CO 80202

EXAMINER

NGUYEN, QUYNH H

ART UNIT	PAPER NUMBER
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2642

DATE MAILED: 06/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/802,075

Applicant(s)

VERBIL ET AL.

Examiner

Quynh H. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-37 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-37 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. The text of those sections of Title 35, U.S. Code not include in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

2. Claims 1 and 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (U.S. Patent 5,978,467) in view of Ory et al. (U.S. Patent 5,140,626).

Regarding claim 1, Walker et al. teach the steps of: receiving a call to access a subscriber line (col. 3, lines 2-3); determining that the subscriber line is busy (col. 3, lines 15-17); placing the caller in a queue implemented within the telecommunications network (col. 1, lines 33-37 and col. 2, lines 21-24 and col. 3, lines 17-19); retaining the queue status (col. 2, lines 32-34). However, Walker et al. do not teach placing a separate call to the subscriber.

Ory et al. teach placing a separate call to the subscriber (col. 3, line 63 through col. 4, line 5).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of placing a separate call indicating status of the queued subscriber's line, as taught by Ory, in Walker's system thus making a better and efficient system by notifying the subscriber about the incoming call without interrupting the other party that are currently involved with the subscriber.

Regarding claim 6, Ory teach the separate call is placed through a paging system (col. 3, line 63 through col. 4, line 5).

Regarding claims 7-8, Walker and Ory do not teach receiving at least one command from the subscriber in response to placing the separate call indicating queued subscriber line access call status and teach a method of call queuing notification wherein the command to connects the queued call to the subscriber over a line used to place the separate call. Receiving the command from the subscriber to connect the queued call to the subscriber over a line used to place the separate call is well know and the advantage of using this feature is also well known. For example, periodically responding to placing the separate call to acknowledge the subscriber is aware that there is a call waiting for the subscriber while he or she busy on another line.

3. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (U.S. Patent 5,978,467) in view of Ory et al. (U.S. Patent 5,140,626) and further in view of Miner et al. (U.S. Patent 5,652,789).

Regarding claim 2, Walker and Ory do not teach notifying the subscriber before placing the separate call indicating the subscriber's line status.

Miner et al. teach notifying the subscriber before placing the separate call indicating the subscriber's line status (col. 8, lines 3-63).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of notifying the subscriber before placing the separate call indicating the subscriber's line status, as taught by Miner, in Walker's

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and Ory's systems thus making the system more efficient by informing the subscriber who is busy on another line that there is a call waiting for him or her.

Regarding claim 3, Miner et al. teach placing the separate call indicating the status of subscriber's line based on information about the received call (col. 8, lines 10-24). For example, if the caller has high priority or normal priority.

4. Claims 4-5, 10, 13, 17-19, 21, 24, 29-30, 32, and 35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (U.S. Patent 5,978,467) in view of Ory et al. (U.S. Patent 5,140,626) and further in view of Meubus et al. (U.S. Patent 6,212,261).

Regarding claim 4 Walker and Ory do not teach the queue is maintained in an intelligent peripheral.

Meubus et al. teach the queue is maintained in an intelligent peripheral (col. 2, lines 1-3 - Gateway agent GA[19] at switching system).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of the queue is maintained in an intelligent peripheral in an advanced intelligent network environment in order to have an enhanced signaling and data communication capabilities with the intelligent peripheral to maintain the queue.

Claim 5 is rejected for the same reasons as discussed above with respect to claims 16 and 27.

Regarding claims 10, 21, and 32, Meubus et al. teach the separate call is placed when the call to the subscriber is queued (col. 2, lines 1-6).

Claims 13 and 24 are rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Meubus et al. teach a service control point (SCP) and central office switch / switches (col. 6, lines 42-47), an intelligent peripheral (Fig. 1, GA19).

Claims 17 and 28 are rejected for the same reasons as discussed above with respect to claim 6.

Claims 18-19 and 29-30 are rejected for the same reasons as discussed above with respect to claims 7-8.

Claim 35 is rejected for the same reason as discussed above with respect to claim 24. Furthermore, Meubus et al. teach an AIN equipped with TAT capability (col. 6, line 53); monitoring signaling to detect TAT trigger and generating a first electrical signal for receipt by the SCP in response to the detected TAT trigger (col. 6, lines 51-55 and col. 7, lines 59-67); generating a second electrical signal requesting status of a queue associated with the subscriber line (col. 6, line 55 through col. 7, line 43).

5. Claims 14-16 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (U.S. Patent 5,978,467) in view of Ory et al. (U.S. Patent 5,140,626) and further in view of Meubus et al. (U.S. Patent 6,212,261) and further in view of Miner et al. (U.S. Patent 5,652,789).

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Claim 14 is rejected for the same reasons as discussed above with respect to claim 2.

Regarding claim 15, Miner et al. teach a system for call queue notification wherein the IP places the second call based on information about at least one queued call (col. 3, lines 15-16).

Regarding claims 16 and 27, Miner et al. teach providing caller identification information to the subscriber (col. 33, lines 5-28).

6. Claims 9, 11-12, 20, 22-23, 31, and 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (U.S. Patent 5,978,467) in view of Ory et al. (U.S. Patent 5,140,626) further in view of Meubus et al. (U.S. Patent 6,212,261) and further in view of Ginsberg (U.S. Patent 6,064,730).

Regarding claims 9, 20, and 31, Walker and Ory do not teach moving the queued call to the front of the queue.

Ginsberg teaches moving / routing the queued call to the next available agent when it is at the front of the queue (col. 1, lines 28-34).

There are different methods of handling incoming calls in a call center, enabling a caller to have his or her interests better served are desirable. For example, moving a call in the queue according its priority or simply just routing the call in the front of the queue to the next available agent. The latter one is the prefer one in the instant application.

Regarding claims 11, 22, and 33, Ginsberg teaches a length of time that the call to the subscriber is queued (col. 2, line11).

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Regarding claims 12, 23, and 34, Ginsberg teaches a number of calls queued (col. 2, lines col. 2, lines 60-61 - how long the agent's queue is).

7. Claims 25 and 37 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (U.S. Patent 5,978,467) in view of Ory et al. (U.S. Patent 5,140,626) further in view of Meubus et al. (U.S. Patent 6,212,261) and further in view of Kilander et al. (U.S. Patent 5,742,675).

Claims 25 and 37 are rejected for the same reasons as discussed above with respect to claim 24. However, Walker and Ory do not teach setting a monitor on the subscriber line and notifying the SCP when the line is idle, responding to the call being answered by the subscriber, connecting the subscriber and the caller.

Kilander et al. teach (Fig. 3) that while the call is queued, the CCS 20 monitoring an agent and gathering services, once the agent is available / idle, signal the CCS and route the caller to the agent (col. 6, lines 33-67).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of monitoring an agent and gathering services, once the agent is available / idle, signal the CCS and route the caller to the agent, as taught by Kilander, in Walker's and Ory's systems in order to permit the subscriber to indicate his or her availability to handle incoming calls efficiently and to avoid caller from hanging up the phone for waiting too long.

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8. Claims 26 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walker et al. (U.S. Patent 5,978,467) in view of Ory et al. (U.S. Patent 5,140,626) and further in view of Meek et al. (U.S. Patent 5,982,859).

Claim 36 is rejected for the same reasons discussed in claim 37. However, Walker and Ory do not teach setting a Next Even List to determine the status of the subscriber line in response to a determination that the queue is empty.

Meek et al. teach the SCP determines the destination condition such as busy or no answer by sending an Analyze Route Message including a Next Event List to the destination SSP (col. 6, lines 17-30).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the feature of determining the destination condition such as busy or no answer by sending an Analyze Route Message including a Next Event List to the destination SSP, as taught by Meek, in Walker's and Ory's systems in order to sufficient handling incoming calls and maximum utilizing agents.

Claim 26 is rejected for the same reasons as discussed with respect to claims 35 and 36.

Response to Arguments

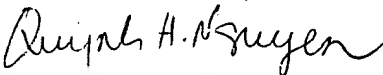
9. Applicant's arguments with respect to claims 1-37 have been considered but are moot in view of the new ground(s) of rejection. Applicant's arguments are addressed in the above claims rejections.

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Quynh H. Nguyen whose telephone number is 571-272-7489. The examiner can normally be reached on Monday - Thursday from 6:15 A.M. to 4:45 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar, can be reached on 571-272-7488. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Quynh H. Nguyen
Patent Examiner
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